

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWARD MATTHEWS,

Index No. : 08 CV 5036

Plaintiffs,

AFFIDAVIT OF SERVICE

-against-

THE CITY OF NEW YORK, JAIME PEDRAZA,
JOHN AND JANE DOES,

Defendants.

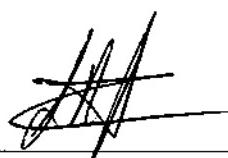
State of New York)
)
) ss.:
County of New York)

Luis R. Ayala, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, is an independent process server (New York state license number 1024905), and resides in the State of New Jersey:

(1) That on the 28th day of July 2008 at 1:50 p.m., deponent served a Summons and Complaint in the above-captioned matter upon P.O. Jaime Pedraza at his place of employment, Manhattan Gang Squad, NYPD, 3280 Broadway, Room 607, New York, NY 10027. The documents were attached to the door at Room 607 because no one would accept the documents.

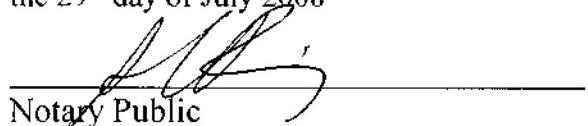
(2) That on the 29th day of July 2008, deponent mailed a true copy of the Summons and Complaint to Jaime Pedraza to the same address where he was served. The envelope was marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the individuals. The envelope was placed in a U.S.

mailbox at the post office in Glen Ridge, NJ 07028.



Luis R. Ayala
158 Carteret St., Glen Ridge, NJ 07028

Sworn to and Subscribed Before Me
the 29th day of July 2008



Notary Public

SUSAN C. BAILEY
NOTARY PUBLIC-STATE OF NEW YORK
No. 018A5121503
Qualified in New York County
Commission Expires January 18, 2009

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Edward Matthews

SUMMONS IN A CIVIL ACTION

V.

The City of New York, Jaime Pedraza, John and
Jane DoesCASE NUMBER:

08 CV 5036

JUDGE LYNCH

TO: (Name and address of Defendant)

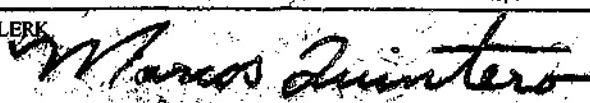
Jaime Pedraza
3280 Broadway
New York, NY 10027

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel
111 Broadway, Suite 1305
New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

DATE

JUN 02 2008

RETURN OF SERVICE

| | |
|--|-------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE |
| NAME OF SERVER (PRINT) | TITLE |

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- Returned unexecuted:
- Other (specify):

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|--------|
| | | \$0.00 |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.